



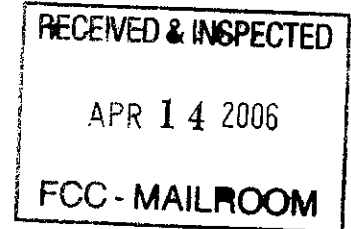
the home team!

- ☒ **MAUMEE OFFICE**
1908 River Road, Maumee, Ohio 43537
(419) 893-0751
Fax: (419) 893-5268
- ☐ **RELOCATION DEPARTMENT**
1204 Conant Street, Maumee, Ohio 43537
(419) 891-9764
Fax: (419) 891-7958
1-800-367-5219
- ☐ **BOWLING GREEN OFFICE**
133 E. Wooster, Bowling Green, Ohio 43402
(419) 352-3521
- ☐ **COMMERCIAL/INDUSTRIAL**
1202 Conant Street, Maumee, Ohio 43537
(419) 893-5578
- ☐ **OREGON OFFICE**
3623 Navarre, Oregon, Ohio 43616
(419) 693-0591
- ☐ **MICHIGAN OFFICE**
P. O. Box 222
8040 Summerfield, Lambertville, MI 48144
(734) 856-4040
- ☐ **PERRYSBURG OFFICE**
201 Louisiana, Perrysburg, Ohio 43551
(419) 874-2231
- ☐ **SOUTHWEST OFFICE**
2532 Perrysburg-Holland
Maumee, Ohio 43537
(419) 866-5900
- ☐ **SYLVANIA OFFICE**
4904 Holland-Sylvania, Sylvania, Ohio 43560
(419) 885-4475
- ☐ **WATERVILLE OFFICE**
1240 Michigan, Waterville, Ohio 43566
(419) 878-7777
- ☐ **WEST OFFICE**
2852 Tremainsville, Toledo, Ohio 43613
(419) 473-1371
- ☐ **WHITEHOUSE OFFICE**
P. O. Box 2502, 6626 Providence
Whitehouse, Ohio 43571
(419) 877-0493
- ☐ **WAUSEON OFFICE**
127 S. Fulton Street, Wauseon, Ohio 43567
(419) 335-7355

CGB CC-0504

4/13/06

Office of the Secretary
Federal Communications Commission
Attn: CGB Room
9300 East Hampton Dr
Capitol Heights, MD 20743



To Whom It May Concern:

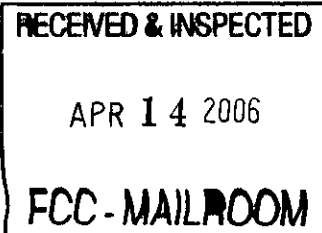
Attached is our petition for waiver of closed captioning regulations. Please contact us with any further questions.

Sincerely,

Mary Jo Fischer
General Manager
(419) 893-0751
(419) 893-5268 Fax
maryjo@disalle-realestate.com



COPY



Introduction

DiSalle Real Estate Co. was founded in April of 1972. Over the past 34 years the company has grown to 14 offices serving Northwest Ohio and Southern Michigan. Our mission is to help the community through real estate transactions with honesty and integrity.

The name of our television show is The DiSalle Real Estate Show. It features over 60 residential properties and 14 commercial properties for sale. Each listing is displayed with a picture of the home, address, price, area, and a verbal description of the home along with the listing agent's photo, displayed name and phone number.

Each episode is 30 minutes in length and airs Sunday on NBC Channel 24 at 9:00 am and on cable WT05 at 1:00 pm. Our producer is John Rerucha with Rerucha productions. Our show reaches approximately 158,000 homes on NBC Channel 24 and 426,520 people on WT05.

For reasons set forth below, DiSalle Real Estate Co. hereby requests an undue burden exemption from the closed captioning rules for DiSalle Real Estate Co., pursuant of § 79.1 (f) of the commission's rules.

Nature and Cost of Closed Captions

Our producer does not have the capabilities to do closed captioning for our show. Our research via the internet provided us with estimates of \$10-\$20 per minute plus some add-on fees making the overall cost to range between \$450 - \$600 per show.

Impact on the Operation of the Program Provider

The cost to produce our show is currently \$1,005 per week. The additional cost for closed captioning would increase the cost to produce our show by approximately 50%. Since no closed captioning companies are available in our area, our producer would have to send our show out of town for this process and that would mean our show would have to be created at least ten days prior to airing. Due to the nature of our business and the importance of keeping the content current with the market, this timing issue would create a large amount of out of date information on a property such as incorrect list price or pending status. As Realtors we must abide by all advertising laws set forth through our Boards including the importance of misrepresentation of status and list price.

Financial Resources of the Program Provider

We were given no guidance from either television station as to when and how we were to get our show to conform to FCC rules. Our producer was also was not given any updates from the stations as to the FCC or their own policies. Provided with this Petition is a ledger of the amounts paid for production and airing of our show. Due to the nature of our industry, it is difficult to prove the income produced from the show alone. In our industry, 50% of advertising dollars are wasted and it is impossible to track which 50% that is. This DiSalle Real Estate Show is only one of many forms of advertising we must do.

Type of Operations of the Program Provider

Commission sales is the nature of our business. We must sell properties to create cash flow. Advertising listings is what we must do to obtain the best possible price for our clients. Only if their property sells do we receive a commission. Many times the advertising dollar can out way the profit received by the company. In our current market, properties are taking longer to sell and thus costing more advertising dollars.

Other Factors

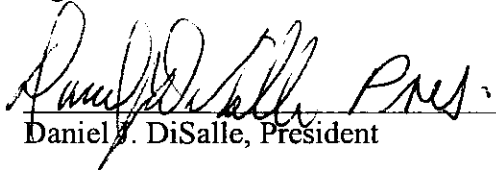
Our show is one of two programs of it's kind in this market. We pride ourselves in giving the public a chance to view properties for sale in the area in a relaxed home atmosphere. We are enclosing a copy of our show to show you the benefit it is to this area. Our show is designed to offer to the viewer a visual picture of the property along with a written address, area and current price. We also include a contact person's photo along with their displayed name and phone number.

Conclusion

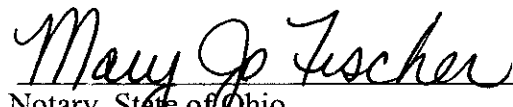
As shown by this petition and its attachments, the Commission should grant a waiver of the closed captioning requirements in this case because requiring closed captioning would create an undue burden on DiSalle Real Estate Co. and risk false advertising to the public. The costs of captioning would be excessively high and would have a significant impact on Disalle's operations and force us to discontinue production of the DiSalle Real Estate Show which has been a part of this area's viewing for more than 8 years. DiSalle's ability to offer this marketing to the Toledo area is different in kind and magnitude from a mainstream programming provider. Because of these reasons, a waiver under §79.1 (f) is warranted. If more information is needed, please contact me at the address provided below.

Respectfully submitted,
Daniel J. DiSalle
President, DiSalle Real Estate Co.

I, Daniel J. DiSalle, President of the DiSalle Real Estate Co. have reviewed the Petition for Exemption for Closed Captioning requirements filed on behalf of DiSalle Real Estate Co. in this matter, and upon information and belief, believe the statements regarding our organization are true and accurate.


Daniel J. DiSalle, President

4/12/06
Date


Notary, State of Ohio
Commission expires: 3/11/08

4/12/06
Date

2005 Production/Airtime for DiSalle Real Estate Show

Production cost: Rerucha Productions

33 shows @ \$950 = \$31,350

Air time to NBC 24:

33 shows @ \$750 = \$24,750

Air time to WT05:

33 shows @ \$250 = \$ 8,250

CLOSED CAPTION MAKER

822 Guilford Avenue #148 • Baltimore, MD 21202
E-mail: wGallant@CCmaker.com • Web Site: www.CCmaker.com
1-800-527-0551

FCC Requires 100% captioning starting 1/1/06.

We sell an entry level closed-captioning system.
See details below, system is called ADDrollupCC.

National Religious Broadcaster Show in Dallas, Feb 19-21st

This is our second year having a booth at this show -- was great last year.

We will be showing our ADDrollupCC-RT captioning system in booth 1637.

Our Services

Professional closed-captioning services.

Cost is \$10 per video minute plus \$50; includes encoding, videotape, and 2nd day FedEx.
Client will be sent an open-captioned VHS proof copy at no charge.

Client sends us a professionally produced "master video" on BetaSP, DV/DVcam, or DVCpro25
and we create a closed-captioned professional master on BetaSP or DVcam.

Example: A ten minute video using 'pop-on captions' would cost \$150.

Add \$2/minute if verbatim script is not supplied.

Subtract \$4/minute if roll-up captions are used instead of pop-on captions.

TV Spots are \$100 per spot (:10 to :60); plus \$50 for tapestock and shipping.
Script must be supplied on disk or emailed. Turnaround is two business days.

We believe our pricing philosophy supports our goal:

We want to be your captioning and subtitling provider.

We provide the highest quality captioning and subtitling at easy-to-understand low rates.

Many captioning services quote enticingly low price-per-minute rates then tack on additional fees. Total costs escalate as charges are added for transcriptions, set-up fees, tape costs, and mailing fees.

We charge a flat rate per minute of video time, which includes all costs. Multiply our rate by the number of minutes in your video to calculate your final cost.

PRICE LIST

Closed Captioning - Roll-Up

\$10.00/minute - 60+ minutes
\$12.00/minute - less than 60 minutes

Closed Captioning/Subtitling - Pop-On

\$15/minute - 30+ minutes
\$20/minute - less than 30 minutes

Open Captioning - Pop-On (There is no black box around captions.)

\$15/minute - 30+ minutes
\$20/minute - less than 30 minutes

Pricing Includes:

Formatted captions
Script transcription or verification
Punctuation review
Electronic copy of proof script
Synchronized captioning

Electronic reading speed check
Complimentary VHS proof copy
Return mailing costs
Final master or formatting

You Provide:

finished Betacam or DigiBeta
master with continuous time code

You Receive:

your original plus Betacam or
DigiBeta encoded master or
compatible authoring file

media file for DVD/webcasts

compatible formatting